



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

Michael Nacmias, Esq. - Nacmias Law Firm 592 Pacific Street Brooklyn, NY 11217	Summons No: 0218364392 et al. (1 Summons) NEW YORK CITY POLICE DEPT, -against- MAX F WAGNAC Hearing Date: 07/10/2025 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: \$0.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
0218364392	Dismissed	01/17/2025	STILLWELL AVE/ NEPTUNE AVE Brooklyn

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	AD6L	AC 19-190(B)	Dismissed	\$0.00

Findings of Fact & Conclusions of Law

Respondent received an NYPD summons for a violation of Section 19-190(b) of the New York City Administrative Code. In the summons, the issuing officer (IO) stated that on January 17, 2025, at 6:28 AM, "motorist failed to yield right of way for pedestrian" at Stillwell Avenue and Neptune Avenue."

In a phone in hearing, Mr. Michael Nacmias, attorney for Respondent, appeared. He made two motions to dismiss. One motion was on defective service as the affidavit of service was blank. The second motion was on the merits as the summons failed to provide sufficient details as to the violation.

Here, I find that service was defective as the affidavit of service was blank. As such, I dismiss for defective service of the summons.



07/10/2025

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Lori Costello, Hearing Officer

Date